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Xerox Docket No. D/99016

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Ken HAYWARD et al.

Group Art Unit: 2626

Application No.: 09/383,981

Examiner: M. Wallerson

Filed: August 26, 1999

Docket No.: 109033

For: WEB PRINT SUBMISSION FROM WITHIN AN APPLICATION

COMMUNICATION TO THE EXAMINER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Office Action erroneously indicating that it was Final was issued for the above-identified application on May 5, 2004. The finality of the Office Action was erroneous since the May 5 Action was the first Office Action issued after the filing of a Request for Continued Examination (RCE). The RCE was filed to enter a previous Amendment, the entry of which had been denied for raising new issues.

During a telephone interview on June 7, 2004, Examiner Ghee confirmed that the finality of the May 5 Office Action was made in error and would be withdrawn. Applicants subsequently filed an Amendment in the U.S. Patent and Trademark Office on July 12, 2004 confirming this agreement and noting therein that the May 5 Office Action could **NOT** be Final.

Prior to Examiner Ghee taking appropriate action regarding this matter, the file was transferred to Examiner Wallerson. An Advisory Action issued by Examiner Wallerson erroneously indicated that the July 12 Amendment would not be entered because it allegedly raises new issues.

In a telephone interview with Examiner Wallerson on December 2, 2004, he admitted that the Advisory Action was premature and a Supplemental Office Action would be issued. Examiner Wallerson again confirmed that the Advisory Action would be withdrawn, the July 12, 2004 Amendment would be entered, and a Supplemental Office Action would be issued, in a second telephone interview on December 14, 2004.

Applicants have not yet received the supplemental Office Action. Please telephone Applicants' representative at 703-836-6400 with the status of the above-identified patent application, including an indication as to when the supplemental Office Action or next communication can be expected.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Linda M. Saltiel", is written over the typed name of James A. Oliff.

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JAO:LMS/eks

Date: December 29, 2004

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